

1 DANIEL G. BOGDEN
United States Attorney
2 District of Nevada
Nevada Bar No. 2137
3 MICHAEL A. HUMPHREYS
Assistant United States Attorney
4 United States Attorney's Office
333 Las Vegas Boulevard South, Suite 5000
5 Las Vegas, Nevada 89101
Telephone: 702-388-6336
6 Facsimile: 702-388-6787
Email: *michael.humphreys@usdoj.gov*
7 Attorneys for the United States

8
9
10
11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.) 2:13-CR-149-KJD-(CWH)
16 RODRIGUEZ MADDEN,)
17 Defendant.)

18 **MOTION TO STRIKE THE PRELIMINARY ORDER OF FORFEITURE (ECF NO. 85)**
19 **FROM THE JUDGMENT IN A CRIMINAL CASE (ECF NO. 138)**
20 **WITH RESPECT TO RODRIGUEZ MADDEN ONLY**

21 The United States of America ("United States"), by and through Daniel G. Bogden, United States
22 Attorney for the District of Nevada, and Michael A. Humphreys, Assistant United States Attorney,
23 respectfully moves this Court to strike the Preliminary Order of Forfeiture (ECF NO. 85) from the
Judgment in a Criminal Case (ECF No. 138) entered on September 11, 2014.

24 This Government motion to strike the Preliminary Order of Forfeiture from the Judgment in a
25 Criminal Case pertains to Rodriguez Madden ONLY and has no legal bearing or effect on co-
26 defendants Derrick Young and Thomas Lewis.

1 This motion is made and is based on the pleadings and papers on file herein and the attached
2 Memorandum of Points and Authorities.

3 DATED this 22nd day of September, 2014.

4 Respectfully submitted,

5 DANIEL G. BOGDEN
6 United States Attorney

7 /s/Michael A. Humphreys
8 MICHAEL A. HUMPHREYS
9 Assistant United States Attorney
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. STATEMENT OF THE FACTS**

3 On September 11, 2014, the Court entered a Judgment in Criminal Case (ECF No. 138) with the
4 Preliminary Order of Forfeiture (ECF No. 85) attached.

5 **II. ARGUMENT**

6 After an internal review by the United States Attorney's Office, it was determined that forfeiture,
7 as to Rodriguez Madden ONLY, is no longer appropriate in this case.

8 This Government motion to strike the Preliminary Order of Forfeiture from the Judgment in a
9 Criminal Case pertains to Rodriguez Madden ONLY and has no legal bearing or effect on co-defendants
10 Derrick Young and Thomas Lewis.

11 **III. CONCLUSION**

12 Based on the foregoing, this Court should strike the Preliminary Order of Forfeiture (ECF
13 No. 85) from the Judgment in a Criminal Case (ECF No. 138) entered on September 11, 2014.

14 DATED this 22nd day of September, 2014.

15 Respectfully submitted,

16 DANIEL G. BOGDEN
17 United States Attorney

18 /s/Michael A. Humphreys
19 MICHAEL A. HUMPHREYS
20 Assistant United States Attorney

21 IT IS SO ORDERED:

22 
23 Sept 23, 2014
24 UNITED STATES DISTRICT JUDGE
25
26